

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

PAUL ANTHONY SKYERS, A#28-982-877

Petitioner,

v.

2:05CV262

MARY F. LOISELLE, Field Office  
Director for Detention and  
Removal Operations, Immigration  
and Customs Enforcement (ICE),

Respondent.

FINAL ORDER

This matter was initiated by petition for a writ of habeas corpus under 28 U.S.C. § 2241.

Petitioner, a native of Jamaica, alleges violation of federal rights because he has been unconstitutionally detained by Immigration and Customs Enforcement for more than ninety days and has been deprived of his liberty interest. Petitioner does not, in this proceeding, attack any underlying convictions.

The matter was referred to a United States Magistrate Judge pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 29 of the Rules of the United States District Court for the Eastern District of Virginia for report and recommendation. The Magistrate Judge filed his report recommending dismissal of the petition on October 14, 2005. By copy of the report, each party was advised of his right to file written objections to the findings and recommendations made by the Magistrate Judge. However, since petitioner was deported to Jamaica and no forwarding address is available, the report and recommendation was returned to the Court. Therefore, the Court has received no objections from petitioner to the report.

The Court does hereby accept the findings and recommendations set forth in the report of the United States Magistrate Judge filed October 14, 2005, and it is, therefore ORDERED that the petition be DENIED and DISMISSED on the basis of petitioner's release from custody, rendering his claim MOOT, and that judgment be entered in respondent's favor.

The Clerk shall mail a copy of this Final Order to counsel of record for the respondent.

/s/  
Walter D. Kelley, Jr.  
UNITED STATES DISTRICT JUDGE

Norfolk, Virginia  
November 7, 2005